

EXHIBIT B



MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
www.mass.gov/ago

December 18, 2013

Scott Crowell, Esq.
Crowell Law Office – Tribal Advocacy Group
1487 W. State Route 89A, Suite 8
Sedona, Arizona 86336

Re: Commonwealth of Massachusetts v. The Wampanoag Tribe of Gay Head (Aquinnah), the Wampanoag Tribal Council of Gay Head, Inc., and The Aquinnah Wampanoag Gaming Corporation, No. SJ-2013-0479

Dear Attorney Crowell:

Enclosed herewith please find copies of the Complaint and the Exhibits in the above-referenced matter. As we have discussed, you have agreed to accept service on behalf of all three named defendants. Your agreement, and authorization, to accept service is conditioned on my consent to, and acceptance of, the following:

- 1) The Wampanoag Tribe of Gay Head (Aquinnah), referred to hereafter as “the Tribe,” maintains that sovereign immunity includes immunity from service of process. Accordingly, by accepting service in the above-referenced matter, the Tribe, including its political subdivision THE AQUINNAH WAMPANOAG GAMING CORPORATION, is not waiving its immunity from service of process or otherwise waiving its immunity or consenting to the jurisdiction of the court, in the above-referenced matter or in any future matter to which the Tribe and/or its political subdivision THE AQUINNAH WAMPANOAG GAMING CORPORATION is a party. The Tribe preserves and reserves all immunity defenses. Acceptance is being provided as a convenience to the Commonwealth to allow the case to proceed and bring the immunity defenses before the court; and
- 2) The Tribe, including its political subdivision THE AQUINNAH WAMPANOAG GAMING CORPORATION, does not accept the allegation that the Tribe is also THE WAMPANOAG TRIBAL COUNCIL OF GAY HEAD, INC. Accordingly, by accepting service, the Tribe is not representing in any way that the Tribe is THE WAMPANOAG TRIBAL COUNCIL OF GAY HEAD, INC. The Tribe preserves and reserves the argument that it is not THE WAMPANOAG TRIBAL COUNCIL


Scott Crowell, Esq.
December 18, 2013
Page 2

OF GAY HEAD, INC. Acceptance is being provided as a convenience to the Commonwealth to allow the case to proceed and to bring the issue of whether the Tribe is also THE WAMPANOAG TRIBAL COUNCIL OF GAY HEAD, INC. or whether THE WAMPANOAG TRIBAL COUNCIL OF GAY HEAD, INC. even exists, before the Court (or a federal court if the Tribe chooses to remove the case).


Please countersign this letter to reflect acceptance of service under these conditions and return the original to me.

Thank you again for your courtesy in this matter.

Yours truly,



Juliana deHaan Rice
Assistant Attorney General
(617) 727-2200, ext. 2583



12/26/2013

Scott Crowell, Esq.